

United States District Court

JUL 27 2016

SOUTHERNDISTRICT OF
McALLEN DIVISIONTEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

Iris Cristal Sanchez-Hernandez PRINCIPAL

YOB: 1984

United States

CRIMINAL COMPLAINT

Case Number:

M-16- 1424 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 25, 2016 in Starr County, in the Southern District of Texas defendants(s) did,

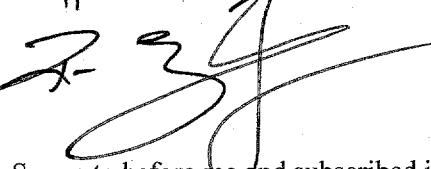
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Otoniel Garcia -Garcia, a citizen and national of Guatemala, who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 25, 2016 at approximately 10:30 p.m., a Border Patrol Agent assigned to the Aerostat located in Roma, Texas observed three subjects running from the Rio Grande River making their way north through a river trail. This area is notorious for human smuggling. The Aerostat agent relayed the information to the agents assigned to the area. Border Patrol Agents Coca and Cortinas, assigned to bike patrol, responded to the area and witnessed three subjects get into a white Chevrolet pickup truck. The vehicle then sped away. Agents Cortinas and Coca relayed the description of the vehicle and direction of travel to other responding agents. The Aerostat operator was maintaining visual of the vehicle and guided the responding agents to the truck's location. Agent Lopez observed the truck traveling north from the Expressway 83. Agent Lopez also observed the pickup truck make a brief stop and three subjects jumped out of the pickup truck and ran in an attempt to abscond. Agent Lopez managed to apprehend one subject after a brief foot pursuit. Agent Lopez found that the subject was illegally present in the United States. The subject was placed under arrest and read his Miranda Rights.

Continued on the attached sheet and made a part of this complaint:

Approved by


Sworn to before me and subscribed in my presence,

July 27, 2016

Date

Yes No



Signature of Complainant

Israel Perez Senior Patrol Agent

Printed Name of Complainant

McAllen, Texas

City and State



Signature of Judicial Officer

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16- 1424 -M

RE: Iris Cristal Sanchez-Hernandez

CONTINUATION:

After the three subjects jumped out of the truck, the driver of the pickup truck drove away. Moments later, Agent Cortinas located the white Chevrolet pickup truck parked at a nearby residence. Agent Cortinas noticed that there was nobody inside the vehicle. Agent Cortinas also observed two female subjects in the vicinity and approach them. Agent Cortinas made a consensual encounter with a adult female and her minor daughter. Agent Cortinas questioned the adult female identified as Iris Cristal SANCHEZ-Hernandez, a Naturalized US citizen, as to the pickup truck. SANCHEZ immediately pleaded to the agent not take her in because she would not be able to get out this time. Agent Cortinas then asked SANCHEZ if she was in possession of the keys to the truck which she responded yes.

Agent Cortinas placed Iris Cristal SANCHEZ-Hernandez under arrest and read her Miranda Rights. Agents were able to arrest only one of the three subjects that ran from the pickup truck.

Once at the Border Patrol Station, agents discovered the following smuggling history on Iris Cristal SANCHEZ-Hernandez: On 10/01/2012 she was arrested by Falfurrias Border Patrol Station for Transportation of an Unlawful Alien and was sentenced on 03/08/2013 to 18 months confinement and 2 year's probation. On 12/30/2010 she was arrested by Pharr Port of Entry for Bring in or Harboring Certain Aliens and was sentenced on 06/28/2010 to 10 months confinement. Subject also has three administrative smuggling cases on record.

PRINCIPAL'S STATEMENT:

Iris Cristal SANCHEZ-Hernandez was read her Miranda Rights and agreed to provide a statement without an attorney present.

Iris Cristal SANCHEZ-Hernandez a Naturalized citizen of the United States, stated she was to be paid approximately \$100.00 USD per each illegal alien she transports. SANCHEZ admitted she picked up three subjects on today's date and also admitted knowing that the three subjects were illegally in the United States. SANCHEZ stated that when she noticed the Border Patrol vehicle following her, she stopped the truck and told the illegal aliens to get out the truck and run. SANCHEZ also stated that after she dropped off the illegal aliens, she parked the pickup truck at an unknown residence and started walking away from it before being stopped by the Border Patrol Agent.

MATERIAL WITNESS STATEMENT:

Otoniel GARCIA-Garcia was read his Miranda Rights and agreed to provide a sworn statement without an attorney present.

Otoniel GARCIA-Garcia a citizen of Guatemala, stated he paid \$2,500.00 USD to be smuggled into the United States. GARCIA also stated a smuggler help him and two others cross the Rio Grande River. GARCIA indicated the smuggler told them to run north and a truck would be waiting for them. GARCIA stated that they ran for about two blocks and came across a white pickup truck that was waiting for them. Once they bordered the truck, the driver told them not to move. GARCIA noticed that the driver was a female and also noticed a small child sitting on the front passenger seat. GARCIA stated that they ran out of the truck because Border Patrol was behind them. Otoniel GARCIA-Garcia was able to identify Iris Cristal SANCHEZ-Hernandez through a photo line-up as the driver of the pickup truck.